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4 BILL NO. Z-77-03- 12

07-77

5 ZONING MAP ORDINANCE NO. Z-77-07

6 AN ORDINANCE amending the City of Fort
7 Wayne Zoning Map No. E-7.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
9 WAYNE, INDIANA:

10 SECTION 1. That the area described as follows is hereby
11 designated a R-3 District under the terms of Chapter 36, Municip-
12 al Code of the City of Fort Wayne, Indiana, 1946, as amended by
13 General Ordinance No. 2836 and amendments thereof; and the symbols
14 of the City of Fort Wayne Zoning Map No. E-7, referred to therein,
15 established by Section 9, Article III of said Chapter as amended,
16 are hereby changed accordingly, to-wit:

17 The South 230.5 feet of Lot No. 2 in J. H. Feichter's
18 Garden View Addition to the City of Fort Wayne,
19 according to the recorded plat thereof, excepting
20 therefrom the West 25 feet of said Lot No. 2 to be
21 used for roadway and utility easement purposes; also
22 excepting therefrom the South 10 feet of said Lot
23 No. 2 for public utilities and public thoroughfares,
24 recorded in Deed Record 698, page 321, in the Office
25 of the Recorder of Allen County, Indiana.

26 SECTION 2. This Ordinance shall be in full force and
27 effect from and after its passage, approval by the Mayor and
28 legal publication thereof.

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35 *William G. Schmidt*
36 Councilman

37 APPROVED AS TO FORM
38 AND LEGALITY,
39 *W. A. Schmitz*
40 CITY ATTORNEY

Read the first time in full and on motion by V. Schmidt, seconded by Atus, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 2-22-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (FOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>9</u>	<u>0</u>			
<u>BURNS</u>	<u>✓</u>				
<u>HINGA</u>	<u>✓</u>				
<u>HUNTER</u>	<u>✓</u>				
<u>MOSES</u>	<u>✓</u>				
<u>NUCKOLS</u>	<u>✓</u>				
<u>SCHMIDT, D.</u>	<u>✓</u>				
<u>SCHIMDT, V.</u>	<u>✓</u>				
<u>STIER</u>	<u>✓</u>				
<u>TALARICO</u>	<u>✓</u>				

DATE: 5-10-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. 07-77 on the 10th day of May, 1976.
ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

John Guckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1976, at the hour of 4:30 o'clock P M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 16th day of May, 1976,
at the hour of 2:30 o'clock P M., E.S.T.

Ralph E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 22, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-03-12; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

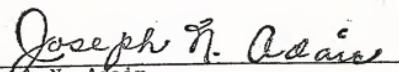
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 18, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 25, 1977.

Certified and signed this
26th day of April, 1977.


Joseph N. Adair
Secretary

Bill No Z-77-03-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. E-7

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance *Re* PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE-CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

2010-11
Treasurer
William R.
William P. Ranga
D.S. Schmidt
Samuel J. Talarico

MADE A MATTER OF RECORD
DATE 5-10-77

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date

77

No.

6911

Received From

Charles Weinraub

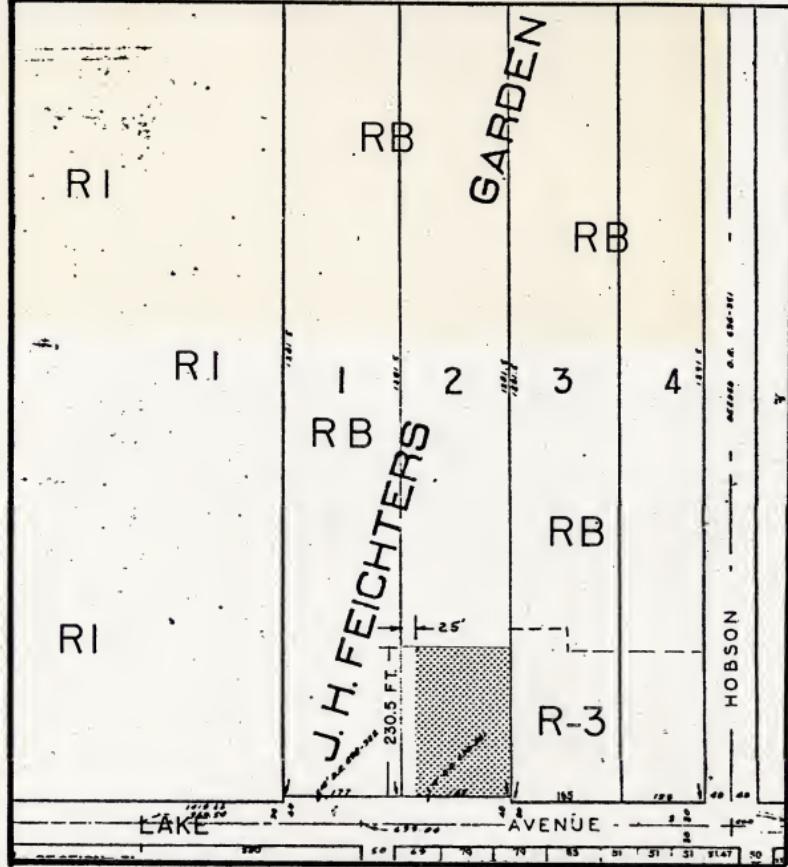
Address

Fifty dollars 50 00 DollarsFor Reserving lot #2 J H
Teachers Diner Lake Ave

ACCOUNT	HOW PAID
AMT. OF ACCOUNT	CASH
AMT. PAID	CHECK # <u>1364</u>
BALANCE DUE	MONEY ORDER

CITY PLAN COMMISSION
CITY-COUNTY BUILDING
FORT WAYNE, INDIANA 46802

Pr



To be changed from RB to R-3

CASE NO.

DATE 2-3-77

PAGE E-7

2-77-03-12

N

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use: Professional Offices
for Medical PracticeWe Merrill W. Rusher and Shirley J. Rusher

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from ~~X~~^{an} R-B district to ~~a~~^{an} R-3 district the property described as follows:

The South 230.5 feet of Lot No. 2 in J. H. Feichter's Garden View

Addition to the City of Fort Wayne, according to the recorded plat thereof, excepting therefrom the West 25 feet of said Lot No. 2 to be used for roadway and utility easement purposes; also excepting therefrom the South 10 feet of said Lot No. 2 for public utilities and public thoroughfares, recorded in Deed Record 698, page 321, in the Office of the Recorder of Allen County, Indiana.

(Legal Description)

(General Description for Planning Staff Use Only)

We, the undersigned, certify that ~~I~~^{We} are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.*

Merrill W. Rusher, M.D.	606 Medical Ctr. Bldg.
	Fort Wayne, Indiana
Shirley J. Rusher	606 Medical Ctr. Bldg.
	Fort Wayne, Indiana

Charles J. Weinraub,
Attorney for Merrill D.
Rusher, M.D. and Shirley
J. Rusher

(Name)

(Address)

(Signature)

Legal Description Checked By:

(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

Charles J. Weinraub, Atty.	590 Lincoln Tower	219-423-4422
(Name)	(Address)	(Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE, INDIANA, 46802 Telephone Number: 423-7571

*Petitioners have entered into an Agreement to Purchase this real estate from Martha A. Krieg. The closing transaction will be held if and when this property is rezoned to R-3.

Z. K. TAZIAN ASSOCIATES, Inc.

PROFESSIONAL ENGINEERS & LAND SURVEYORS

Zohrab K. Tazian, PE & LS
President

Jerry K. Walker, PE & LS
Vice-President

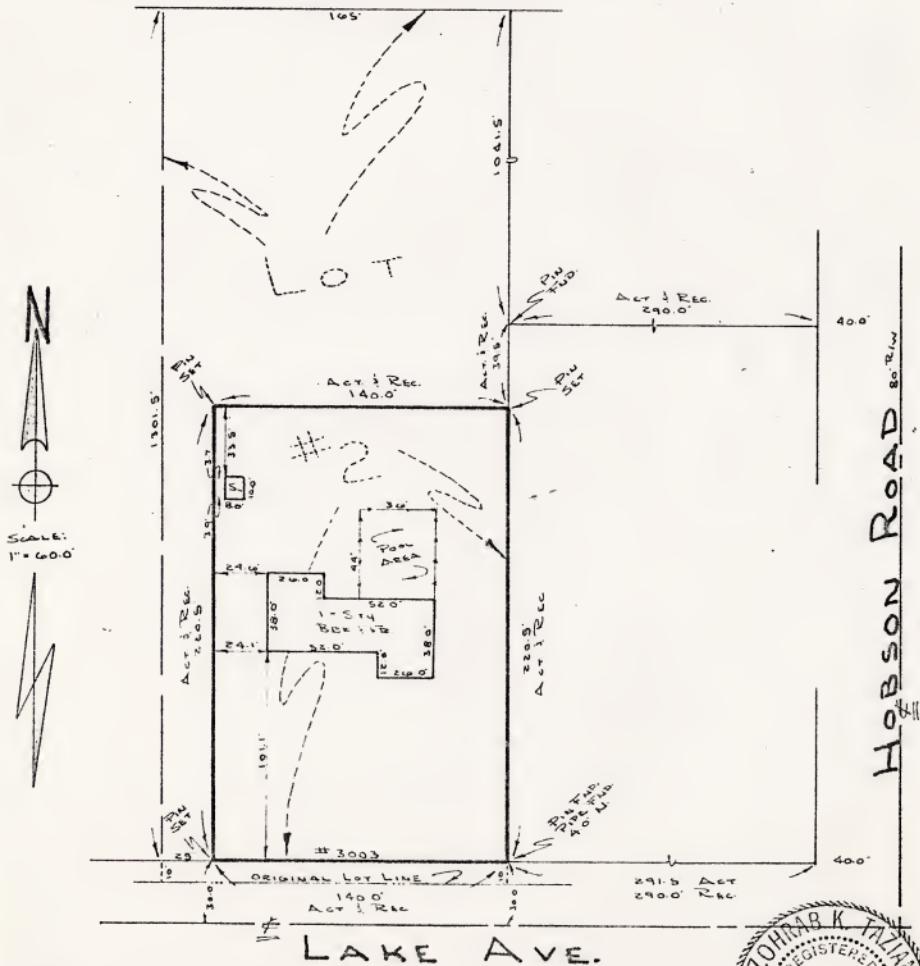
Certificate of Survey

This document is a record of a resurvey of land and real estate prepared in conformity with established rules of surveying and made in accordance with the records or plat on file in the Recorder's office of Allen County, State of Indiana. The land described exists in full dimensions as shown hereon in feet. It is free from encroachments by adjoining land owners unless specifically shown below. Corners were perpetuated as indicated.

DESCRIPTION OF REAL ESTATE

The South 230.5 feet of Lot #2 in J. H. Feichter's Garden View Addition to the City of Fort Wayne, according to the recorded plat thereof, except therefrom the West 25 feet of Lot #2 to be used for roadway and utility easement purposes.

This property is not in a special flood hazard area as defined by the FIA Flood Hazard Boundary Map No. H-01-18, effective Jan. 30, 1976.



I hereby certify on the 13th day of January, 1977, that the above survey is

Surveyed for: Krieg
Survey No. ER-111

A circular registration stamp with a double-lined border. The outer ring contains the text "ZOHRAK K. TALIAN" at the top and "REGISTERED LAND SURVEYOR" at the bottom. The inner circle contains "No. S0211" at the top and "STATE OF INDIANA" at the bottom.

DIGEST SHEET

TITLE OF ORDINANCE

Zoning Map Amendment Ordinance

3-77-03-121

DEPARTMENT REQUESTING ORDINANCE

CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property: The south 230.5 feet of Lot # 2

in J. H. Feichter's Garden View Addition, generally located on the north side of Lake Avenue, approximately 330 feet west of Hobson Road.

From "RB" to "R3"

Property is presently zoned "RB" - Suburban
EFFECT OF PASSAGE Residential. Petitioners are requesting an "R3"
District - Multiple Family Residential. An "R3" District permits offices, and
studios following approval by the Board of Zoning Appeals.

EFFECT OF NON-PASSAGE Property would remain an "RB" District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings)

none

ASSIGNED TO COMMITTEE (J.N.)

Rig



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

May 17, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of May 20 and May 27, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. A-77-05-26
(As amended - As amended)
Appropriation Ordinance No. A-12-77
(As amended - As amended)

Bill No. G-77-03-30
General Ordinance No. G-14-77

Bill No. G-77-03-08
General Ordinance No. G-12-77

Bill No. Z-77-03-17
Zoning Map Ordinance No. Z-10-77

Bill No. Z-77-03-16
Zoning Map Ordinance No. Z-09-77

Bill No. Z-77-03-13
Zoning Map Ordinance No. Z-08-77

Bill No. Z-77-03-12
Zoning Map Ordinance No. Z-07-77



May 17, 1977
Ms. Virginia Grace
Page 2

Bill No. Z-77-03-11
Zoning Map Ordinance No. Z-06-77

Bill No. G-77-04-28
General Ordinance No. G-13-77

Please send us five (5) copies of the Publisher's Affidavit from both
newspapers.

Thank you.

Sincerely,



Charles W. Westerman
City Clerk

CWW/ne
ENCL: 9

Common Council of Fort Wayne
(Governmental Unit)

To. THE NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

94

3

97

COMPUTATION OF CHARGES

97 lines 1 columns wide equals 97 equivalent lines at .25¢. \$ 25.12 cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

\$ 26.62

TOTAL AMOUNT OF CLAIM

UTTING COST

9.9

of single column 3 ems

Size of type 5½ point

2 of insertions

Size of quad upon which type is cast 5½

revision and penalties of Ch. 89, Acts 1967.

at the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V.E. Gerken

27, 19. 77

Title CLERK

CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

5/20-27/77

CH COPY OF
DOCUMENT HERE

Subscribed and sworn to before me this 27 day of May 1977

Notary Public

My commission expires September 26, 1979

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
John Daniels
Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of May, 1977, at the hour of 4:30 o'clock P.M., E.S.T.
Charles W. Westerman
City Clerk
Approved and signed by me this 16th day of May, 1977, at the hour of 2:30 o'clock P.M., E.S.T.
Robert E. Armstrong
Mayor
Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and accurate copy of Zoning Map Ordinance No. Z-07 passed by the Common Council on the 16th day of May, 1977, in that said Ordinance was duly signed and approved by the Mayor, on the 16th day of May, 1977, and is on file on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1977.
Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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Total number of lines in notice

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COMPUTATION OF CHARGES

97 lines, 1 columns wide equals 97 equivalent lines at .2594

\$ 25.12

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

1.50

Charge for extra proofs of publication (50 cents for each proof in excess of two)

26.62

TOTAL AMOUNT OF CLAIM

ING COST

9.9

single column 16 ems

Size of type 5 1/2 pointf insertions 2Size of quad upon which type is cast 5 1/2

sion and penalties of Ch. 89, Acts 1967,

he foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald
Title: CLERK

19.77

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is

CLERK

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

5/20-27/77

Subscribed and sworn to before me this 27th day of May 1977

Notary Public

My commission expires September 28, 1979COPY OF
MENT HERE

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Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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COMPUTATION OF CHARGES

97 lines, 1 columns wide equals 97 equivalent lines at 259¢ \$ 25.12
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 26.62

DATA FOR COMPUTING COST

9.9

Width of single column 14 ems

Size of type 5½ pointNumber of insertions 2Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arilla De Told*Date May 27, 1977Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE

a. DAILY newspaper of general circulation printed and published in the English language in the city FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 9, the dates of publication being as follows:
5/20-27/77Subscribed and sworn to before me this 27th day of May 1977

Notary Public

My commission expires September 28, 1979

I hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-2

07-77 passed by the Common Council on the 10th day of May, 1977, and signed and approved by the Mayor on the 1st day of May, 1977 and now remains on file in my office in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 1st day of May, 1977.

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

5-20-27